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SUBJECT: PROGRESS MADE IN MINORITY EMPLOYMENT, BUT OBSTACLES
PERSIST

¶1. (SBU) SUMMARY AND COMMENT: A November 27 roundtable discussion sponsored jointly by the Parliament, GOC and OSCE Mission highlighted progress made by local and regional administrations in employing minorities (mainly ethnic Serbs), while Serb politicians complained about delays in implementing the relevant provisions of the 2002 Constitutional Law on National Minorities. A GOC official asserted that the 2007 plan for employment in the State administration will include provisions for employment of ethnic minorities. A member of the EC delegation at the event told the Embassy that the GOC's inability to produce accurate and timely statistics hurt its case; he also noted that the CLNM was one of the "most generous" minority laws in Europe and would be difficult for any country to implement completely. Minority employment guidelines in the law present a quandary for the GOC, which would like to decrease the public sector's unsustainable 50% of GDP, but faces elections in 2007 and high unemployment (for all ethnicities) in poorer regions where state jobs are among the few available. END SUMMARY AND COMMENT.

¶2. (U) The Parliamentary Committee for Human Rights and the Rights of National Minorities, the GOC's Central State Administration Office, and the OSCE Mission jointly sponsored a November 27 roundtable at Parliament to focus on implementation of Article 22 (employment of minorities in local and regional administrations) of the Constitutional Law on National Minorities (CLNM). The CLNM specifies that all 62 cities and municipalities must ensure proportional representation of ethnic minorities in administrations.

¶3. (U) State Secretary for Central State Administration Antun Palaric described the situation as "satisfactory" given that over 80 percent of towns and municipalities have ensured the representation of minorities in local legislative bodies and in the executive authority. According to Palaric, more than 50% of towns and municipalities have employed the necessary number of ethnic minorities' representatives in local administrative services, but the process stalled when there were no more vacancies in such services. "We will be able to fulfill the provisions of the Constitutional law only when certain posts are emptied," he noted. "Our goal is not to lay off someone in order to employ someone else." Human Rights Ombudsman Jurica Malcic acknowledged that some delays occurred in the employment of minorities' representatives, but emphasized that the political will to make progress exists.

¶4. (U) On the whole, Croat mayors tended to praise the situation (although recognizing difficulties), while the Serb representatives argued that too much was left up to the political will of local governments. Ethnic Serb MP Gajica cited two examples, noting that small steps in the right direction were needed to send the right message. He asserted that he had complained to the Government that not one officer in the Lika police department is of Serb ethnicity. The official answer he received was that the Interior Ministry (MUP), as a state-level agency, has already achieved proportionality at the "state level," leaving Lika under-represented while other communities are over-represented. In another case, a well-qualified

Serb candidate applied for a judge position in the Banija region. For no apparent reason, the bidding proceedings were cancelled. The official reply (allegedly from the Minister) was that the candidate identified himself as a representative of the "Serb community" rather than the "Serb minority" which ultimately disqualified him.

BRADTKE